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EXAMINER	
JERABEK, KELLY L	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/068,254	VALE ET AL.	
	Examiner	Art Unit	
	KELLY L. JERABEK	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 May 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6,7,10,11,13-16,18-26 and 29-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6,7,10,11,13-16,18-26,29-32 and 34* is/are rejected.

7)☒ Claim(s) *33* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 October 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/29/2009 has been entered.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 5/29/2009 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Response to Arguments

Applicant's arguments filed 5/29/2009 have been fully considered but they are not persuasive.

Response to Remarks:

Applicant's arguments regarding amended claims 1 and 15 (amendment pages 10-12) state that the Sato reference fails to teach or suggest determining, by the digital camera, whether the mobile phone is configured to transfer information to the server, or automatically sending data from the digital camera to the mobile phone that configures the mobile phone to transfer information to the server if the pipeline device is not configured to transfer the information. The Examiner respectfully disagrees. Sato discloses a method of facilitating transfer of information from a data capture device (10) to a remote host device (42,45,46), the method comprising: establishing a connection between the data capture device (10) and a pipeline device (44); establishing a wireless network connection between the data capture device (10) and the remote host device (42,45,46) via the pipeline device (44), wherein the pipeline device (44) enables communication between the data capture device (10) and the remote host device (42,45,46) without user installation of dedicated software on the pipeline device (44) or the remote host device (42,45,46) for enabling communication (col. 4, line 36-col. 5, line 55; figures 1,2). **The Sato reference further states that where the external communications device/pipeline device (44) is a cellular type portable telephone, when the camera (10) is placed in communication mode a user designates a desired communication connecting destination and the camera (10) starts a communication with a server (42) in the neighborhood of the designated communication area through the external communication device (cellular**

telephone 44) (col. 5, lines 32-55). Thus, it can be seen that Sato discloses that the data capture device (camera 10) determines whether the pipeline device (cellular telephone 44) is configured to transfer information from the data capture device (10) to a remote host device (42) that is capable of communication with said data capture device (10) via the pipeline device (cellular telephone) (when the camera 10 is placed in the communication mode the camera 10 designates a communication connecting destination in order to configure the pipeline device 44 to transfer information from the data capture device 10 to a remote host device) and if the pipeline device (cellular telephone 44) is not configured to transfer the information, automatically sending data from the data capture device (10) to the pipeline device (cellular telephone 44) that the configures the pipeline device (44) to transfer the information (the camera 10 designates a communication connecting destination and the pipeline device 44 is configured to connect to the server 42 that is nearest to the designated destination in order to allow the camera 10 to communicate with the nearest server 42 via the pipeline device 44) (col. 5, lines 33-47).

Applicant's arguments with respect to claims 29-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 6, 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman et al. US 2002/0194414 in view of Sato et al. US 7,265,779 in view of Yamada et al. US 6,239,837 and further in view of Terakado et al. US 2002/0001042.

Re claim 1, Bateman discloses a method facilitating transfer of information from a data capture device (102) to a host device (108,112) (page 2, paragraphs 21-22). Bateman states that the connection between the camera base unit (102,104) and the host (108,112) includes both tethered and wireless connections; where in the wireless case, the base unit (102,104) is capable of wirelessly transmitting to and receiving data from the host (108,112) (page 2, paragraphs 20-21). Therefore, it can be seen that Bateman teaches a wireless network connection between a data capture device (102,104) and a host device (108,112). Bateman further states that upon connection of

a data capture device (102) to a host device (108,112) that is capable of communicating with the data capture device (102), automatically verifying that a connection has been established between the data capture device (102) and the host device (page 3, paragraph 28) and automatically initiating an immediate transfer of information from the data capture device (102) (pages 2-3 paragraph 23). However, although the Bateman reference discloses all of the above limitations including a wireless communication between a camera and a remote device it fails to specifically disclose that the wireless communication method comprises establishing a connection between the data capture device and a pipeline device such as a cellular telephone; determining, by the data capture device, whether the pipeline device is configured to transfer information from the data capture device to a remote host device that is capable of communication with said data capture device via the pipeline device; if the pipeline device is not configured to transfer the information, automatically sending data from the data capture device to the pipeline device that configures the pipeline device to transfer the information; establishing a wireless network connection between the data capture device and the remote host device via the pipeline device, wherein the pipeline device enables communication between the data capture device and the remote host device without user installation of dedicated software on the pipeline device or the remote host device for enabling said communication, wherein said data capture device is preconfigured to establish the wireless network connection with the remote host device via the pipeline device upon establishing the connection with the pipeline device.

Sato discloses a method of facilitating transfer of information from a data capture device (10) to a remote host device (42,45,46), the method comprising: establishing a connection between the data capture device (10) and a pipeline device (44); automatically establishing a wireless network connection between the data capture device (10) and the remote host device (42,45,46) via the pipeline device (44), wherein the pipeline device (44) enables communication between the data capture device (10) and the remote host device (42,45,46) without user installation of dedicated software on the pipeline device (44) or the remote host device (42,45,46) for enabling communication, wherein said data capture device (10) is preconfigured to establish the wireless network connection with the remote host device (42) via the pipeline device (44) upon establishing the connection with the pipeline device (44) (when the camera 10 is placed in the communication mode the pipeline device 44 is used to enable communication between the data capture device 10 and the remote host device 42 that is nearest to a destination that is designated to be in communication with the data capture device 10) (col. 4, line 36-col. 5, line 55; figures 1,2). The Sato reference further states that where the external communications device/pipeline device (44) is a cellular type portable telephone, when the camera (10) is placed in communication mode a user designates a desired communication connecting destination and the camera (10) starts a communication with a server (42) in the neighborhood of the designated communication area through the external communication device (cellular telephone 44) (col. 5, lines 32-55). Thus, it can be seen that Sato discloses that the data capture device (camera 10) determines whether the pipeline device (cellular

telephone 44) is configured to transfer information from the data capture device (10) to a remote host device (42) that is capable of communication with said data capture device (10) via the pipeline device (cellular telephone) (when the camera 10 is placed in the communication mode the camera 10 designates a communication connecting destination in order to configure the pipeline device 44 to transfer information from the data capture device 10 to a remote host device) and if the pipeline device (cellular telephone 44) is not configured to transfer the information, automatically sending data from the data capture device (10) to the pipeline device (cellular telephone 44) that the configures the pipeline device (44) to transfer the information (the camera 10 designates a communication connecting destination and the pipeline device 44 is configured to connect to the server 42 that is nearest to the designated destination in order to allow the camera 10 to communicate with the nearest server 42 via the pipeline device 44) (col. 5, lines 33-47). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the teaching of enabling a camera to utilize a pipeline device such as a portable telephone to communicate wirelessly with remote devices and automatically configuring the pipeline device so that it is capable of communicating with designated remote devices as disclosed by Sato in the camera capable of wirelessly communicating with remote devices disclosed by Bateman. Doing so would provide a means for enabling a camera to communicate with remote devices that are located far away from the camera.

Although the combination of the Bateman and Sato references discloses all of the above limitations the combination fails to specifically state that upon connection of

the data capture device to the host device through the pipeline device, notification that a transfer of information is in process and notification of successful completion of the transfer of information is automatically provided.

Yamada discloses in figures 1-3 a camera capable of accepting an auxiliary memory card (MC). The camera includes a liquid crystal display section (30) that displays a plurality of icon marks (46-66) according to the operation modes of the camera (col. 3, lines 60-67). When the camera is in the copying mode of copying image data from the main memory (MM) to the memory card (MC), icon mark (62) automatically provides a notification that a transfer of information is in process (col. 4, lines 32-35; col. 9, line 59 – col. 10, line 15). Each time an individual image is transferred and copied the values of icon marks (56, 60) are changed (col. 11, line 59 – col. 12, line 10). Thus, icon marks (56,60) provide notification of successful completion of the transfer of information. Therefore, it would have been obvious for one skilled in the art to have been motivated to automatically provide notification that the connection between the data capture device and the pipeline device has been established, automatically provide notification that a transfer of information is in process and automatically provide notification of successful completion of a transfer of information as disclosed by Yamada in the system configured to transfer data between a peripheral device and a host as disclosed by the combination of Bateman and Sato. Doing so would provide a means for allowing a user of an image capture device to view the transfer status of image data being transferred from the image capture device to a host. However, although the combination of the Bateman, Sato and Yamada references

discloses all of the above limitations, the combination fails to state that notification of successful completion of a transfer of information is provided by illumination or extinguishing of a light on the data capture device.

Terakado discloses a remote controller (1) that is capable of communicating with multiple electronic devices (3,9,13) (figure 2). Terakado states that CPU (1a) turns on LED (100) to indicate that information is being transferred and the CPU (1a) turns off the LED (100) to indicate the information transfer has finished (page 5, paragraphs 74-84). Thus, it can be seen that it is well known to illuminate or extinguish an LED to notify a user of a device of a transfer state of the device. Therefore, it would have been obvious for one skilled in the art to have been motivated to include an LED to indicate the completion of an information transfer as disclosed by Terakado in the camera system disclosed by the combination of Bateman, Sato and Yamada. Doing so would provide a means for providing an indication that a transfer of information is either in process or has been completed.

Re claims 2 and 3, Terakado states that the notification that the transfer of information is in process is provided by illumination of a light (LED 100) (page 5, paragraph 75).

Re claim 6, when the camera disclosed by Yamada is in the copying mode of copying image data from the main memory (MM) to the memory card (MC), icon mark

(62) automatically provides a notification that a transfer of information is in process (col. 4, lines 32-35; col. 9, line 59 – col. 10, line 15). Icon mark (62) is displayed on LCD (30) therefore the icon mark (62) is a notification that a transfer of information is in process that is provided on an LCD (30).

Re claim 31, The Sato reference discloses a pipeline device (44) that is capable of connecting with a camera device (10) in order to transmit data from the camera device (10) to remote devices. Furthermore, the Yamada reference discloses that it is well known in the digital imaging art to display an icon mark (64) when a memory card (MC) is attached to a camera in order to verify that a connection has been established between the memory card (MC) and the camera (col. 6, line 53 – col. 7, line 10). Therefore, it can be seen that it is well known in the digital imaging art to provide a notification (such as an icon) that a connection between a data capture device (camera) and a remote device (such as a pipeline device or a memory card) has been established.

Re claim 34, the Sato reference discloses that the data capture device (10) is capable of communicating wirelessly with a pipeline device (44) which may be a portable telephone capable of performing communication thorough a public line (col. 5, lines 21-29). Thus, it can be seen that the data capture device (10) must probe the pipeline device (44) before establishing a wireless connection (transmit a wireless signal to determine if a wireless connection can be made) and discover the pipeline device (44) based on the probing. In addition, Sato discloses that the data capture device (10)

may automatically obtain a telephone number of the pipeline device (portable telephone 44) (col. 8, lines 43-47). Therefore, it can be seen that a registry of the data capture device (10) is updated with information identifying the pipeline device (44) (the data capture device 10 may automatically obtain a telephone number of the pipeline device).

Claims 4, 7 and 10-11 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman et al. in view of Sato et al. in view of Yamada in view of Terakado et al. and further in view of Okada US 6,630,954.

Re claim 4, the combination of the Bateman, Sato, Yamada and Terakado references disclose all of the limitations of claim 2 above. However, although the Terakado reference discloses an LED (100) for providing a notification of information transfer it fails to state that the LED blinks periodically while the transfer of information is in process.

Okada discloses an image pickup apparatus including an image erasure status notification function. If the image data has already been transferred, a message is provided to the user indicating that the image to be erased has already been transferred to another storing area (col. 2, lines 54-62). The message is provided to the user using either a flickering LED, a display of an LCD, or a sound generation of a buzzer (col. 2, lines 41-53). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using a flickering LED or a buzzer for user

notification as disclosed by Okada in the system configured to transfer data between a peripheral device and a host as disclosed by the combination of Bateman, Sato, Yamada and Terakado. Doing so would provide a means for flickering an LED or sounding a buzzer in order to provide notifications to a user of a camera (Okada: col. 2, lines 54-62).

Re claim 7, the combination of the Bateman, Sato, Yamada and Terakado references disclose all of the limitations of claim 1 above. However, although the Terakado reference discloses an LED (100) for providing a notification of information transfer it fails to state that a notification that the transfer of information is in process is provided by an audio signal.

Okada discloses an image pickup apparatus including an image erasure status notification function. If the image data has already been transferred, a message is provided to the user indicating that the image to be erased has already been transferred to another storing area (col. 2, lines 54-62). The message is provided to the user using either a flickering LED, a display of an LCD, or a sound generation of a buzzer (col. 2, lines 41-53). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using an flickering LED or a buzzer for user notification as disclosed by Okada in the system configured to transfer data between a peripheral device and a host as disclosed by the combination of Bateman, Sato, Yamada and Terakado. Doing so would provide a means for flickering an LED or

sounding a buzzer in order to provide notifications to a user of a camera (Okada: col. 2, lines 54-62).

Re claim 10, the combination of Bateman, Sato, Yamada and Terakado discloses all of the limitations of claim 1 above. Yamada also states the when the capacity of the auxiliary memory is insufficient before the whole image is transferred icon mark (60) indicates the number of uncopied image data (col. 12, lines 11-49). However, the combination of Bateman, Sato, Yamada and Terakado does not specifically disclose an automatic notification of failure if the transfer of information is not successfully completed.

Okada discloses an image pickup apparatus including an image erasure status notification function. If the image data has not been transferred, a message is provided to the user indicating that the image to be erased has not been transferred to another storing area (col. 2, line 63 - col. 3, line 24). The message is provided to the user using either a flickering LED, a display of an LCD, or a sound generation of a buzzer (col. 3, lines 1-10). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using an LED or a buzzer to notify a user that a transfer of information was not successfully completed as disclosed by Okada in the system configured to transfer data between a peripheral device and a host as disclosed by the combination of Bateman, Sato, Yamada and Terakado. Doing so would provide a means for flickering an LED or sounding a buzzer in order to provide notifications to a

user of a camera that an image has not yet been transferred (Okada: col. 3, lines 11-19).

Re claims 11 and 13, Okada states that a red LED is lit to notify the user that the image to be erased is not transferred (col. 3, lines 1-4).

Re claim 14, Okada states that a message on an LCD is used to notify the user that the image to be erased is not transferred (col. 3, lines 4-8).

Claims 15, 18, 21-22, 25 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman et al. US 2002/0194414 in view of Sato et al. US 7,265,779 and further in view of Yamada et al. US 6,239,837.

Re claim 15, Bateman discloses a method facilitating transfer of information from a data capture device (102) to a host device (108,112) (page 2, paragraphs 21-22). Bateman states that the connection between the camera base unit (102,104) and the host (108,112) includes both tethered and wireless connections; where in the wireless case, the base unit (102,104) is capable of wirelessly transmitting to and receiving data from the host (108,112) (page 2, paragraphs 20-21). Therefore, it can be seen that Bateman teaches a wireless network connection between a data capture device (102,104) and a host device (108,112). Bateman further states that upon connection of

a data capture device (102) to a host device (108,112) that is capable of communicating with the data capture device (102), automatically verifying that a connection has been established between the data capture device (102) and the host device (page 3, paragraph 28) and automatically initiating an immediate transfer of information from the data capture device (102) (pages 2-3 paragraph 23). However, although the Bateman reference discloses all of the above limitations including a wireless communication between a camera and a remote device it fails to specifically disclose that the wireless communication method comprises establishing a connection between a first device and a pipeline device such as a cellular telephone; determining, by the first device, whether the pipeline device is configured to transfer information from the first device to a second device that is capable of communication with said data capture device via the pipeline device; if the pipeline device is not configured to transfer the information, automatically sending data from the first device to the pipeline device that configures the pipeline device to transfer the information; establishing a wireless network connection between the first device and the second device via the pipeline device, wherein the pipeline device enables communication between the first device and the second device without user installation of dedicated software on the pipeline device or the second device for enabling said communication, wherein said first device is preconfigured to establish the wireless network connection with the second device via the pipeline device upon establishing the connection with the pipeline device.

Sato discloses a method of facilitating transfer of information from a first device (10) to a second device (42,45,46), the method comprising: establishing a connection

between the first device (10) and a pipeline device (44); automatically establishing a wireless network connection between the first device (10) and the second device (42,45,46) via the pipeline device (44), wherein the pipeline device (44) enables communication between the first device (10) and the second device (42,45,46) without user installation of dedicated software on the pipeline device (44) or the second device (42,45,46) for enabling communication, wherein said first device (10) is preconfigured to establish the wireless network connection with the second device (42) via the pipeline device (44) upon establishing the connection with the pipeline device (44) (when the camera 10 is placed in the communication mode the pipeline device 44 is used to enable communication between the first device 10 and the second device 42 that is nearest to a destination that is designated to be in communication with the first device 10) (col. 4, line 36-col. 5, line 55; figures 1,2). The Sato reference further states that where the external communications device/pipeline device (44) is a cellular type portable telephone, when the camera (10) is placed in communication mode a user designates a desired communication connecting destination and the camera (10) starts a communication with a server (42) in the neighborhood of the designated communication area through the external communication device (cellular telephone 44) (col. 5, lines 32-55). Thus, it can be seen that Sato discloses that the first device (camera 10) determines whether the pipeline device (cellular telephone 44) is configured to transfer information from the first device (10) to a second device (42) that is capable of communication with said first device (10) via the pipeline device (cellular telephone) (when the camera 10 is placed in the communication mode the camera 10

designates a communication connecting destination in order to configure the pipeline device 44 to transfer information from the first device 10 to a remote host device) and if the pipeline device (cellular telephone 44) is not configured to transfer the information, automatically sending data from the first device (10) to the pipeline device (cellular telephone 44) that the configures the pipeline device (44) to transfer the information (the camera 10 designates a communication connecting destination and the pipeline device 44 is configured to connect to the server 42 that is nearest to the designated destination in order to allow the camera 10 to communicate with the nearest server 42 via the pipeline device 44) (col. 5, lines 33-47). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the teaching of enabling a camera to utilize a pipeline device such as a portable telephone to communicate wirelessly with remote devices and automatically configuring the pipeline device so that it is capable of communicating with designated remote devices as disclosed by Sato in the camera capable of wirelessly communicating with remote devices disclosed by Bateman. Doing so would provide a means for enabling a camera to communicate with remote devices that are located far away from the camera.

Although the combination of the Bateman and Sato references discloses all of the above limitations the combination fails to specifically state that upon connection of the data capture device to the host device through the pipeline device, notification that a connection between the capture device and the pipeline device has been established, notification that a transfer of information is in process and notification of successful completion of the transfer of information is automatically provided.

Yamada discloses in figures 1-3 a camera capable of accepting an auxiliary memory card (MC). The camera includes a liquid crystal display section (30) that displays a plurality of icon marks (46-66) according to the operation modes of the camera (col. 3, lines 60-67). When the memory card (MC) is attached to the camera, icon mark (64) is displayed thus verifying that the connection has been established and the microprocessor (MPU1) instructs microprocessor (MPU2) to perform processing operations (col. 6, line 53 – col. 7, line 10). When the camera is in the copying mode of copying image data from the main memory (MM) to the memory card (MC), icon mark (62) automatically provides a notification that a transfer of information is in process (col. 4, lines 32-35; col. 9, line 59 – col. 10, line 15). Each time an individual image is transferred and copied the values of icon marks (56, 60) are changed (col. 11, line 59 – col. 12, line 10). Thus, icon marks (56,60) provide notification of successful completion of the transfer of information. Therefore, it would have been obvious for one skilled in the art to have been motivated to automatically provide notification that the connection between the data capture device and the pipeline device has been established, automatically provide notification that a transfer of information is in process and automatically provide notification of successful completion of a transfer of information as disclosed by Yamada in the system configured to transfer data between a peripheral device and a host as disclosed by the combination of Bateman and Sato. Doing so would provide a means for allowing a user of an image capture device to view the transfer status of image data being transferred from the image capture device to a host.

Re claim 18, when the memory card (MC) is attached to the camera, icon mark (64) is displayed on LCD (30) thus verifying that the connection has been established and the microprocessor (MPU1) instructs microprocessor (MPU2) to perform processing operations (col. 6, line 53 – col. 7, line 10).

Re claim 21, when the camera is in the copying mode of copying image data from the main memory (MM) to the memory card (MC), icon mark (62) automatically provides a notification on LCD (30) that a transfer of information is in process (col. 4, lines 32-35; col. 9, line 59 – col. 10, line 15).

Re claims 22 and 25, each time an individual image is transferred and copied the values of icon marks (56, 60) on LCD (30) are changed (col. 11, line 59 – col. 12, line 10). Therefore, icon marks (56,60) provide notification of successful completion of the transfer of information.

Re claim 32, the Sato reference discloses a pipeline device (44) that is capable of connecting with a camera device (10) in order to transmit data from the camera device (10) to remote devices. Furthermore, the Yamada reference discloses that it is well known in the digital imaging art to display an icon mark (64) when a memory card (MC) is attached to a camera in order to verify that a connection has been established between the memory card (MC) and the camera (col. 6, line 53 – col. 7, line 10).

Therefore, it can be seen that it is well known in the digital imaging art to provide a notification (such as an icon) that a connection between a data capture device (camera) and a remote device (such as a pipeline device or a memory card) has been established.

Claims 16, 19-20, 23-24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman et al. in view of Sato et al. in view of Yamada and further in view of Okada US 6,630,954.

Re claim 16, the combination of the Bateman, Sato and Yamada references discloses all of the limitations of claim15 above. However, the notifications provided by Yamada are icon marks that are displayed on an LCD. The combination of Bateman, Sato and Yamada does not specifically state that the notifications are light emitting diodes or audio signals.

Okada discloses an image pickup apparatus including an image erasure status notification function. If the image data has already been transferred, a message is provided to the user indicating that the image to be erased has already been transferred to another storing area (col. 2, lines 54-62). The message is provided to the user using either a flickering LED, a display of an LCD, or a sound generation of a buzzer (col. 2, lines 41-53). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using an LED or a buzzer for user notification as disclosed by Okada in the system configured to transfer data between a peripheral

device and a host as disclosed by the combination of Bateman, Sato and Yamada. Doing so would provide a means for flickering an LED or sounding a buzzer in order to provide notifications to a user of a camera (Okada: col. 2, lines 54-62).

Re claims 19-20 and 23, the combination of the Bateman, Sato and Yamada references discloses all of the limitations of claim15 above. However, the notifications provided by Yamada are icon marks that are displayed on an LCD. The combination of Bateman, Sato and Yamada does not specifically state that the notification consists of a blinking light emitting diode.

Okada discloses an image pickup apparatus including an image erasure status notification function. If the image data has already been transferred, a message is provided to the user indicating that the image to be erased has already been transferred to another storing area (col. 2, lines 54-62). The message is provided to the user using either a flickering LED, a display of an LCD, or a sound generation of a buzzer (col. 2, lines 41-53). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using an LED or a buzzer for user notification as disclosed by Okada in the system configured to transfer data between a peripheral device and a host as disclosed by the combination of Bateman, Sato and Yamada. Doing so would provide a means for flickering an LED or sounding a buzzer in order to provide notifications to a user of a camera (Okada: col. 2, lines 54-62).

Re claim 24, the combination of the Bateman, Sato, Yamada and Okada references discloses all of the limitations of claim 23 above. Yamada uses icon marks (56,60) to provide notification of successful completion of transfer of information but does not specifically state that the notification is provided by extinguishing a light on the data capture device. The Examiner takes **Official Notice** that it is well known in the art to illuminate an LED on a device that is transferring data during the transfer of the data and to turn off the LED when the transfer is completed. Therefore, it would have been obvious for one skilled in the art to have been motivated to provide an LED that is turned off when the transfer of data is completed in place of the icon marks (56,60) for providing visual notification of successful completion of transfer of information.

Re claim 26, the combination of the Bateman, Sato and Yamada references disclose all of the limitations of claims 15 above. Yamada also states the when the capacity of the auxiliary memory is insufficient before the whole image is transferred icon mark (60) indicates the number of uncopied image data (col. 12, lines 11-49). However, the combination of the Bateman, Sato and Yamada references does not specifically disclose an automatic notification of failure if the transfer of information is not successfully completed.

Okada discloses an image pickup apparatus including an image erasure status notification function. If the image data has not been transferred, a message is provided to the user indicating that the image to be erased has not been transferred to another storing area (col. 2, line 63 - col. 3, line 24). The message is provided to the user using

either a flickering LED, a display of an LCD, or a sound generation of a buzzer (col. 3, lines 1-10). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using an LED or a buzzer to notify a user that a transfer of information was not successfully completed as disclosed by Okada in the system configured to transfer data between a peripheral device and a host as disclosed by the combination of Bateman, Sato and Yamada. Doing so would provide a means for flickering an LED or sounding a buzzer in order to provide notifications to a user of a camera that an image has not yet been transferred (Okada: col. 3, lines 11-19).

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman et al. US 2002/0194414 in view of Sato et al. US 7,265,779 in view of Yamada et al. US 6,239,837 in view of Terakado et al. US 2002/0001042 and further in view of Takahashi US 2002/0051065.

Re claim 29, Bateman discloses a method facilitating transfer of information from a data capture device (102) to a host device (108,112) (page 2, paragraphs 21-22). Bateman states that the connection between the camera base unit (102,104) and the host (108,112) includes both tethered and wireless connections; where in the wireless case, the base unit (102,104) is capable of wirelessly transmitting to and receiving data from the host (108,112) (page 2, paragraphs 20-21). Therefore, it can be seen that Bateman teaches a wireless network connection between a data capture device

(102,104) and a host device (108,112). Bateman further states that upon connection of a data capture device (102) to a host device (108,112) that is capable of communicating with the data capture device (102), automatically verifying that a connection has been established between the data capture device (102) and the host device (page 3, paragraph 28) and automatically initiating an immediate transfer of information from the data capture device (102) (pages 2-3 paragraph 23). However, although the Bateman reference discloses all of the above limitations including a wireless communication between a camera and a remote device it fails to specifically disclose that the wireless communication method comprises automatically sending at least one of a driver or an application from a data capture device to a host device and installing the at least one of the driver or the application on the host device, wherein the at least one of the driver or the application enables the host device to transfer the information.

Sato discloses a method of facilitating transfer of information from a data capture device (10) to a remote device (42,45,46), the method comprising: establishing a connection between the data capture device (10) and a host device (44); automatically establishing a wireless network connection between the data capture device (10) and the remote device (42,45,46) via the host device (44)(col. 4, line 36-col. 5, line 55; figures 1,2). The Sato reference further states that where the host device (44) is a cellular type portable telephone, when the camera (10) is placed in communication mode a user designates a desired communication connecting destination and the camera (10) starts a communication with a server (42) in the neighborhood of the designated communication area through the external communication device (cellular

telephone 44) (col. 5, lines 32-55). Thus, it can be seen that Sato discloses that the data capture device (camera 10) sends an application to the host device (44) and installs the application on the host device (44), wherein the application enables the host device (44) to transfer the information (camera 10 sends a desired communication connecting destination to the host device 44 in order to allow the host device 44 to connect to a designated remote device 42 and enable transfer of information between the camera 10 and the designated remote device 42) (col. 5, lines 33-47). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the teaching of enabling a camera to utilize a host device such as a portable telephone to communicate wirelessly with remote devices and automatically installing an application on the host device so that it is capable of communicating with designated remote devices as disclosed by Sato in the camera capable of wirelessly communicating with remote devices disclosed by Bateman. Doing so would provide a means for enabling a camera to communicate with remote devices that are located far away from the camera.

However, although the combination of the Bateman and Sato references discloses all of the above limitations it fails to specifically state that upon connection of the data capture device and to the host device notification that a transfer of information is in process and notification of successful completion of the transfer of information is automatically provided.

Yamada discloses in figures 1-3 a camera capable of accepting an auxiliary memory card (MC). The camera includes a liquid crystal display section (30) that displays a plurality of icon marks (46-66) according to the operation modes of the

camera (col. 3, lines 60-67). When the memory card (MC) is attached to the camera, icon mark (64) is displayed thus verifying that the connection has been established and the microprocessor (MPU1) instructs microprocessor (MPU2) to perform processing operations (col. 6, line 53 – col. 7, line 10). When the camera is in the copying mode of copying image data from the main memory (MM) to the memory card (MC), icon mark (62) automatically provides a notification that a transfer of information is in process (col. 4, lines 32-35; col. 9, line 59 – col. 10, line 15). Each time an individual image is transferred and copied the values of icon marks (56, 60) are changed (col. 11, line 59 – col. 12, line 10). Thus, icon marks (56,60) provide notification of successful completion of the transfer of information. Therefore, it would have been obvious for one skilled in the art to have been motivated to automatically provide notification that a transfer of information is in process and automatically provide notification of successful completion of a transfer of information as disclosed by Yamada in the system configured to transfer data between a peripheral device and a host as disclosed by Bateman and Sato. Doing so would provide a means for allowing a user of an image capture device to view the transfer status of image data being transferred from the image capture device to a host. However, although the combination of the Bateman, Sato and Yamada references discloses all of the above limitations, the combination fails to state that notification of successful completion of a transfer of information is provided by illumination or extinguishing of a light on the data capture device.

Terakado discloses a remote controller (1) that is capable of communicating with multiple electronic devices (3,9,13) (figure 2). Terakado states that CPU (1a) turns on

LED (100) to indicate that information is being transferred and the CPU (1a) turns off the LED (100) to indicate the information transfer has finished (page 5, paragraphs 74-84). Thus, it can be seen that it is well known to illuminate or extinguish an LED to notify a user of a device of a transfer state of the device. Therefore, it would have been obvious for one skilled in the art to have been motivated to include an LED to indicate the completion of an information transfer as disclosed by Terakado in the camera system disclosed by the combination of Bateman, Sato and Yamada. Doing so would provide a means for providing an indication that a transfer of information is either in process or has been completed. However, although the combination of the Bateman, Sato, Yamada and Terakado references discloses all of the above limitations, however the combination fails to disclose automatically deleting said information from said data capture device upon successful completion of said transfer.

Takahashi discloses a digital camera that is capable of transferring image data to remote devices. Takahashi states that when transfer of the image data from the transfer buffer memory (131) of the digital camera (1) to the personal computer (2) is completed, the MPU (11) automatically deletes the transferred image data in the transfer buffer memory (131) (page 13, paragraph 152). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the teaching of automatically deleting image data in a digital camera when the image data is successfully transferred to a remote device as disclosed by Takahashi in the camera system disclosed by the combination of the Bateman, Sato, Yamada and Terakado references. Doing so would provide a means for deleting image data that has been

successfully transferred to remote devices in order to free up image storage space in a digital camera.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman et al. US 2002/0194414 in view of in view of Sato et al. US 7,265,779 in view of Yamada et al. US 6,239,837 in view of in view of Terakado et al. US 2002/0001042 in view of Takahashi US 2002/0051065 and further in view of Jackel et al. US 2003/0133015.

Re claim 30, the combination of the Bateman, Sato, Yamada,Terakado and Takahashi references discloses all of the limitations of claim 29 above. However, although the combination of the references discloses a camera capable of wirelessly communicating with remote devices none of the references state that the wireless network connection is a wireless internet connection.

Jackel discloses a web-connected interactive digital camera. The camera (10) disclosed by Jackel is capable of communicating with remote devices via a wireless internet connection (page 2, paragraph 19). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the teaching of enabling a camera to communicate wirelessly with remote devices via a wireless internet connection as disclosed by Jackel in the camera capable of wirelessly communicating with remote devices disclosed by the combination of Bateman, Sato, Yamada,

Terakado and Takahashi. Doing so would provide a means for enabling a camera to communicate with remote devices that are located far away from the camera.

Allowable Subject Matter

Claim 33 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Re claim 33, the prior art fails to teach or suggest, "A method facilitating transfer of information from a data capture device to a remote host device, the method comprising: establishing a connection between a data capture device and a pipeline device; determining, by the data capture device, whether the pipeline device is configured to transfer information from the data capture device to a remote host device that is capable of communication with said data capture device via the pipeline device; if the pipeline device is not configured to transfer the information, automatically sending data from the data capture device to the pipeline device that configures the pipeline device to transfer the information; automatically establishing a wireless network connection between the data capture device and the remote host device, wherein the pipeline device enables communication between the data capture device and the

remote host device without user installation of dedicated software on the pipeline device or the remote host device for enabling said communication, wherein said data capture device is preconfigured to establish the wireless network connection with the remote host device via the pipeline device upon establishing the connection with the pipeline device; upon establishing the wireless network connection, automatically verifying that the wireless network connection has been established between said data capture device and said remote host device and automatically initiating a transfer of information from said data capture device, through said pipeline device, to said remote host device; automatically providing notification that said transfer of information from said data capture device, through said pipeline device, to said remote host device is in process; and automatically providing notification of successful completion of said transfer of information by one of illumination or extinguishing of a light on said data capture device, wherein automatically sending the data from the data capture device to the pipeline device comprises: determining, by the data capture device, at least one application or driver associated with the pipeline device, wherein the at least one application or driver is stored on the data capture device; **uploading the at least one application or driver to the pipeline device; examining a registry of the pipeline device to determine specific actions that, when performed by the pipeline device, will cause the at least one application or driver to be installed on the pipeline device; and instructing the pipeline device to perform the specific actions**".

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cohen et al. (US 2002/0108118) discloses a wireless digital camera adapter. The information regarding communication protocols for transferring data from a digital camera is relevant material.

Parulski et al. (US 6,122,526) discloses a cellular telephone and electronic camera system. The information regarding using a cellular telephone to transfer data from a digital camera is relevant material.

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571) 272-7312**. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached at **(571) 272-3022**. The fax phone number for submitting all Official communications is **(571) 273-7300**. The fax phone number for

submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at (571) 273-7312.

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/Kelly L. Jerabek/
Examiner, Art Unit 2622